

REMARKS

Initially, Applicant would like to express his appreciation to the Examiner for allowing claims 14-20 in the present application.

In the above-referenced Official Action, the Examiner rejected claims 1, 4-5 and 8 under 35 U.S.C. § 103(a) as being unpatentable over LIU et al. (U.S. Patent No. 5,680,482) in view of STIFLE et al. (U.S. Patent No. 4,633,462). The Examiner rejected claims 9-13 under 35 U.S.C. § 103(a) as being unpatentable over LIU et al. in view of STIFLE et al. and HER (U.S. Patent No. 6,353,633). The Examiner rejected claims 2-3 and 6-7 under 35 U.S.C. § 103(a) as being unpatentable over LIU et al. in view of STIFLE et al. in further view of MALLADI et al. (U.S. Patent No. 5,818,532). Applicant respectfully traverses these rejections, at least for the reasons stated below.

Each of the claims rejected by the Examiner recite, in part, determining a throttling amount, using a measure of computational processing power required to decode at least one bitstream of the video data and/or a measure of the decoder's processing capabilities, without requiring encoded throttling control data associated with the video data. The Examiner, who had previously asserted that this feature was taught by AGARWAL (U.S. Patent No. 5,812,788) in the Office Action of January 30, 2003, now relies on STIFLE et al. to teach determining a throttling amount without requiring encoded throttling control data. However, the throttling disclosed by STIFLE et al., *e.g.*, performed by a subscriber decoder unit 110, is not relevant to the claimed embodiments of the present invention.

STIFLE et al. generally teach retransmitting a reverse channel signal from a remote subscriber in a CATV environment whenever the originally transmitted signal collides with a reverse

P21748.A04

channel signal from another remote subscriber. If necessary, the signal is retransmitted repeatedly after sequential delays, the length of which can be “throttled” to attempt to avoid future collisions of the retransmitted signals. *See, e.g.*, col. 4, lines 53-57. In other words, STIFLE et al. teach determining a throttling amount to adjust a delay time for retransmitting data, not to control computation processing requirements for decoding data, as in the present invention. In fact, the portion of STIFLE et al. cited by the Examiner emphasizes that throttling is directed to merely adjusting the delay time: “The stabilization or throttling action is desirably autonomous Stabilization techniques adjust the time at which a retransmission is permitted as a function of the number of previous retransmission attempts.” *See* col. 11, lines 46-54 (emphasis added). Accordingly, no combination of references including STIFLE et al. teaches or suggests determining a throttling amount to control computation processing requirements of the decoder.

Moreover, the primary reference, LIU et al., is directed to a video decompression system. Therefore, there is no motivation whatsoever to combine the video decompression system of LIU et al. with the CATV retransmission delay throttling of STIFLE et al. Accordingly, withdrawal of the rejections based on any combination including the reference STIFLE et al. is respectfully requested.

For at least the reasons stated above, Applicant respectfully submits that independent claims 1, 5, 9 and 12 have been shown to be allowable. With regard to claims 2-4, 6-8, 10-11 and 13, Applicant asserts that they are allowable at least because they depend from independent claims 1, 5, 9 and 12, respectively.

P21748.A04

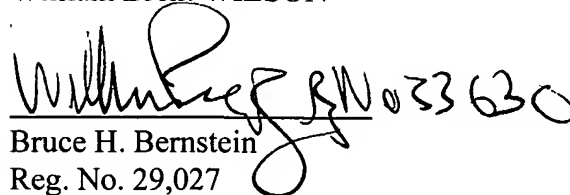
Moreover, with respect to claims 9-13, the Examiner relied on HER to teach reducing the number of coefficients inverse quantized and inverse DCT transformed by selectively setting coefficients to alternate values, which the Examiner admitted was not taught by the combination of LIU et al. and STIFLE et al. However, in addition to the reasons set forth above for the impropriety of the combination of LIU et al. and STIFLE et al., HER is not a valid reference because it is based on an application filed in the United States on December 19, 1997, while the present application claims priority from a Japanese application filed on October 16, 1997. Accordingly, Applicant respectfully submits that the HER reference is overcome by the attached English translation of the Japanese application from which the present application claims priority (*i.e.*, JP -9-283640).

In view of the herein contained Remarks, Applicant respectfully requests reconsideration and withdrawal of previously asserted rejections set forth in the Official Action of July 8, 2003, together with an indication of the allowability of all pending claims, in due course. Such action is respectfully requested and is believed to be appropriate and proper.

Should the Examiner have any questions concerning this Reply or the present application, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

October 8, 2003
GREENBLUM & BERNSTEIN, P.L.C.
1950 Roland Clarke Place
Reston, VA 20191
(703) 716-1191

Respectfully submitted,
William Brent WILSON


Bruce H. Bernstein
Reg. No. 29,027